

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 3:00 P.M. OCTOBER 13, 1998

PRESENT:

Joanne Bond, Chairman
Sue Camp, Commissioner
Jim Galloway, Commissioner
Jim Shaw, Commissioner

Betty J. Lewis, County Clerk
Katy Simon, County Manager
Madelyn Shipman, Legal Counsel

ABSENT:

Mike Mouliot, Vice Chairman

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

98-954 LIQUOR LICENSE AND BUSINESS LICENSE APPEAL - CRAIG STEPHEN CUNNINGHAM

This appeal was considered on MONDAY, OCTOBER 12, 1998, prior to the Caucus meeting, the Board having convened as the County Liquor Board with Chairman Bond presiding and Commissioners Mouliot and Shaw absent, to consider the appeal of CRAIG STEPHEN CUNNINGHAM from the denial by the Business License Division, Community Development, following the background investigation as required for the issuance of a general business license and a liquor license to operate the Galena Forest Restaurant and bar at 17025 Mt. Rose Highway, in Reno, Nevada.

On motion by Commissioner Camp, seconded by Commissioner Galloway, which motion duly carried, the Board convened in closed personnel session to hear testimony as to why the business license and liquor license should or should not be granted. The appellant was present to offer testimony during the closed personnel session as was Jess Traver, acting for Karen Carmel, Supervisor, Business License Division.

Following testimony of both parties and Board deliberation and discussion, on motion made by Commissioner Camp, seconded by Commissioner Galloway, and duly carried, the Board convened in open session and the following action was taken.

On motion by Commissioner Camp, seconded by Chairman Bond, which motion duly carried with Commissioner Galloway voting "no," it was ordered that the denial by the Business License Division, Community Development, be overturned and the appeal of CRAIG STEPHEN CUNNINGHAM be accepted and the business license issued, on the stipulation that in the case of a repeat offense the business license would be revoked. Mr. Cunningham agreed to the stipulation.

98-955 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the agenda for the October 13, 1998, meeting be approved with the following amendment: Delete Item 13.A., Execution of Washoe County Homeless Service Agreement concerning child abuse prevention services.

PUBLIC COMMENTS

There was no response to the call for public comments.

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THE BOARD CONVENED AS THE COUNTY LIQUOR BOARD

98-956 REFUND OF BUSINESS & LIQUOR LICENSE FEE - MICHAEL AND BRYNDA LARSEN

Upon recommendation of Karen Carmel, Business License and Zoning Enforcement Supervisor, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that \$250.00 out of the \$350.00 paid by Michael and Brynda Larsen in May, 1998, for a business and liquor license be refunded as the applicants decided to relocate the business to Douglas County before the licenses could be issued. It was noted that the County will retain the \$100.00 investigation fee because their background investigation had been completed.

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THE BOARD CONVENED AS THE GAMING BOARD

98-957 GAMING LICENSE APPROVAL - CALL OF THE WILD

Upon recommendation of Karen Carmel, Business License and Zoning Enforcement Supervisor, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that a gaming license be approved for Call of the Wild, Peter S. and Janey S. Baker. It was noted that this license was approved by the Nevada State Gaming Commission on September 24, 1998.

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THE BOARD RECONVENED AS THE BOARD OF COUNTY COMMISSIONERS

MINUTES

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the minutes of the regular meetings of September 15 and 22, 1998, be approved.

98-958 AUTHORIZATION TO SUBMIT GRANT PROPOSAL - DISASTER RECOVERY INITIATIVE PROGRAM (DRIP) - HUMAN SERVICES

Upon recommendation of Mike McMahon, Human Service Coordinator, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that staff be authorized to submit a grant proposal for Disaster Recovery Initiative Program (DRIP) funds through the Commission on Economic Development and that Chairman Bond be authorized to execute the appropriate grant documents.

98-959 RESOLUTIONS - WASHOE COUNTY SCHOOL DISTRICT 1998 SCHOOL BONDS

Commissioner Galloway had requested that separate resolutions be prepared for Part "A" and Part "B" of the Washoe County School District 1998 Bonds and stated that he supports Part "A" but that he does not wish to tell people how to vote on Part "B" since it will raise their tax rate.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and duly executed:

RESOLUTION

SUPPORTING 1998 WASHOE COUNTY SCHOOL BOND PART "A"

WHEREAS, the Washoe County School District is experiencing an increase in student enrollment due to population growth in the Truckee Meadows; and

WHEREAS, five of the seven high schools in the District are overcrowded, and total enrollment is above capacity; and

WHEREAS, the District has maximized available capacity, extended day sessions at high schools, moved additional portable classrooms to high schools, and remodeled high schools to create additional classroom space; and

WHEREAS, the District has implemented two new high school magnet programs to make use of alternative space; and

WHEREAS, multi-track, year-round school schedules are being implemented at five elementary schools this year as needed in the future; and

WHEREAS, the District has responded to public concerns and is providing more accountability through action plans devised by a district-wide outside audit; and

WHEREAS, a long-range facility plan was adopted to gauge population growth, using other government planning boards' projections to determine when and where new schools will be needed; and

WHEREAS, the District used meaningful public input via the Task Force on Overcrowding, more than 40 public meetings on the school bond issues, a Financial Advisory Committee of business leaders, and a community-represented Blue Ribbon Task Force to help the Board of Trustees select a new superintendent; and

WHEREAS, the State of Nevada only allows funding for school district construction by way of bond issues; and

WHEREAS, the Board of Washoe County Commissioners is a supporter of public education for all children in the school district; and

WHEREAS, a good education of students today ensures the adults of tomorrow will perpetuate the high quality of life indicators Washoe County celebrates and emphasizes;

NOW, THEREFORE, BE IT RESOLVED that the Board of Washoe County Commissioners supports the 1998 School Bond - Part "A" - and urges all residents to vote "Yes, Yes For Kids" - Part "A" - on November 3, 1998.

* * * * *

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried with Commissioner Galloway abstaining from the vote, the following resolution was adopted and duly executed:

RESOLUTION

SUPPORTING 1998 WASHOE COUNTY SCHOOL BOND PART "B"

WHEREAS, the Washoe County School District is experiencing an increase in student enrollment due to population growth in the Truckee Meadows; and

WHEREAS, five of the seven high schools in the District are overcrowded, and total enrollment is above capacity; and

WHEREAS, the District has maximized available capacity, extended day sessions at high schools, moved additional portable classrooms to high schools, and remodeled high schools to create additional classroom space; and

WHEREAS, the District has implemented two new high school magnet programs to make use of alternative space; and

WHEREAS, multi-track, year-round school schedules are being implemented at five elementary schools this year as needed in the future; and

WHEREAS, the District has responded to public concerns and is providing more accountability through action plans devised by a district-wide outside audit; and

WHEREAS, a long-range facility plan was adopted to gauge population growth, using other government planning boards' projections to determine when and where new schools will be needed; and

WHEREAS, the District used meaningful public input via the Task Force on Overcrowding, more than 40 public meetings on the school bond issues, a Financial Advisory Committee of business leaders, and a community-represented Blue Ribbon Task Force to help the Board of Trustees select a new superintendent; and

WHEREAS, the State of Nevada only allows funding for school district construction by way of bond issues; and

WHEREAS, the Board of Washoe County Commissioners is a supporter of public education for all children in the school district; and

WHEREAS, a good education of students today ensures the adults of tomorrow will perpetuate the high quality of life indicators Washoe County celebrates and emphasizes;

NOW, THEREFORE, BE IT RESOLVED that the Board of Washoe County Commissioners supports the 1998 School Bond - Part "B" - and urges all residents to vote "Yes, Yes For Kids" - Part "B" - on November 3, 1998.

98-960 RESOLUTION - MORATORIUM ON ACCEPTANCE OF BUSINESS LICENSE APPLICATIONS FOR ADULT ENTERTAINMENT USES - COMMUNITY DEVELOPMENT

Upon recommendation of Mike Harper, Department of Community Development, who provided brief background information, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond be authorized to execute:

RESOLUTION - Declaring a State of Concern and Emergency, Placing a Moratorium on the Acceptance, Processing and Approving of Adult Business Licenses, Including Cabaret Licenses for Establishments Where Adult Entertainment is Proposed, and Other Matters Properly Relating Thereto.

WHEREAS, the recent processing by the County of an application for a cabaret license where the proposed entertainment was to be "adult" made it clear that the County Code is lacking in provisions regulating said businesses; and

WHEREAS, there have been indications that additional adult businesses and/or entertainment establishments are being planned for the unincorporated area of Washoe County; and

WHEREAS, the welfare of the community, and particularly the youth in the unincorporated area of Washoe County, is in jeopardy if adult businesses are not regulated to both insulate the community from the known secondary effects of said businesses while at the same time allowing freedom of expression as guaranteed to the people by the 1st Amendment to the U.S. Constitution; and

WHEREAS, it is necessary for the Board of County Commissioners to revise the Washoe County Code to comport with the current 1st Amendment criteria and, simultaneously, regulate adult businesses and entertainment establishments to allow their integration into the community in concert with current community standards.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Washoe County that it is concerned for the welfare of the community due to the lack of even minimum regulation of adult businesses and entertainment establishments in the Washoe County Code.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Washoe County that a moratorium for a period of nine (9) months from the date of this Resolution be placed on the acceptance, processing or approval of applications made for businesses and establishments where adult entertainment is intended to be present.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Washoe County that during said moratorium period staff shall develop regulations for adult businesses and entertainment establishments for review and ultimate adoption by the Board.

BE IT FURTHER RESOLVED that said moratorium shall not affect the transfer during said period pursuant to existing code of existing licenses for businesses other than those licensed as adult businesses.

Dave Roundtree, Public Works Director, displayed a large map and described the roads involved in this special assessment district.

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond be authorized to execute:

RESOLUTION NO. 98-961

A RESOLUTION DIRECTING THE ENGINEERS ON BEHALF OF THE COUNTY TO PREPARE AND FILE WITH THE COUNTY CLERK PRELIMINARY PLANS AND AN ASSESSMENT PLAT IN CONNECTION WITH A PROPOSED STREET PROJECT IN SPECIAL ASSESSMENT DISTRICT NO. 28 (OSAGE ROAD/WAGON HO TRAIL), FOR THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT IN WASHOE COUNTY PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENT LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Whereas, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada is of the opinion and has determined and does hereby declare that the interest of the County of Washoe requires the acquisition and improvement of a street project as defined in NRS 271.225 (the "Project"); and

Whereas, for the purpose of designation and identification it is desirable that the hereinafter described Project be known and identified as "Washoe County, Nevada, Special Assessment District No. 28 (Osage Road/Wagon Ho Trail)" (the "Improvement District" or "District").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:

Section 1. The County Engineer (the "Engineer") is hereby directed to prepare, and file with the County Clerk preliminary plans showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness, and a preliminary estimate of the total cost (including all incidental cost), and a preliminary estimate of the portion of the total cost to be assessed for the acquisition and improvement of the Project, which is more particularly described as follows:

Osage Road:

From Red Rock Road easterly and then northerly approximately 7500 feet to the existing paved portion of Osage Road approximately 300 feet south of Crockett Drive Wagon Ho Trail:

From Osage Road to Plata Mesa Drive

Cul-de-sac Streets:

Mizpah Circle
Wagon Ho Court
Little Creek Road
Osage Court
Calle Maria

Section 2. Except as shown on said preliminary plans for the District the character of such improvements shall be described more particularly as the grading and paving of the above streets, including incidental drainage ditches, culverts, headwalls and rip rap, signing and surveying. The pavement is to be 22 foot wide asphaltic concrete plantmix with 2 foot wide gravel shoulders on both sides; the pavement structural section is to be a minimum of 3 inches of asphalt over 6 inches of crushed granular base; the paving, drainage, signing and survey monumentation to be in accordance with the Standard Details and Specifications for Public Works Construction; and all grading, paving and incidental drainage, signing and surveying improvements to include all necessary excavations, filling, grading and appurtenances incidental thereto.

Section 3. Except as shown on the preliminary plans to be filed by the Engineer in the office of the County Clerk, the character

and location of the Project shall be as described in Sections 1 and 2 hereof.

Section 4. The Engineer is hereby directed to estimate the cost of each type of construction in a lump sum or by unit process, as to such Engineer may seem most desirable for the construction, acquisition, improvement and installation of the improvements designated above. Such preliminary estimate of costs shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing and such other expenses as in the judgment of such Engineer are necessary or essential to the completion of such work or improvement attributable to the costs in the improvement district and the payment of the cost thereof. The entire cost of the Project is of special benefit and shall be paid by special assessment against the tracts benefited.

Section 5. The Engineer is hereby directed to prepare and file with the County Clerk an assessment plat showing the area to be assessed, the market value and a description of each tract, the name and address of each owner, and the amount of estimated maximum benefits to be assessed against each tract on a per tract or lot basis, i.e., assessments are to be levied against each tract or parcel of land within the boundaries of the District on the basis of the number of lots being assessed with each lot or tract having the same assessment. Such estimated benefits may be shown by an attached addendum to the plat which may be designated as the preliminary assessments roll or tabulation of parcels. An equitable adjustment will be made for assessments to be levied against wedge or V or other irregularly shaped lots or lands, if any, and for any tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. In any event, the assessments shall be against all lots benefited by the Project proportionally to benefits received. Such basis of assessments is hereby designated by the Board.

Section 6. The boundaries of the District shall be the streets to be improved and the following lots or tracts of land:

8634010	8634025	8635010	8635038	8636003	8636015	8637004
8634011	8634026	8635011	8635039	8636004	8636016	8637005
8634012	8635001	8635013	8635040	8636005	8636017	8637006
8634013	8635002	8635014	8635043	8636006	8636018	8637007
8634014	8635003	8635015	8635044	8636007	8636019	8637008
8634015	8635004	8635016	8635045	8636008	8636020	8637009
8634016	8635005	8635019	8635046	8636009	8636022	8637011
8634017	8635006	8635022	8635047	8636010	8636023	8637012
8634018	8635007	8635025	8635048	8636011	8636024	8637013
8634019	8635008	8635026	8636001	8636012	8637001	8637014
8634023	8635009	8635037	8636002	8636013	8637003	9004007
8634024						

Section 7. The officers of the County are directed to effectuate the provisions of this resolution.

Section 8. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 9. The invalidity of any provisions of this resolution shall not affect any remaining provisions hereof.

Section 10. The Board of County Commissioners has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

98-962 RESOLUTION - AUTHORIZING PUBLIC WORKS DIRECTOR TO ENTER INTO AGREEMENTS FOR THE USE OF COUNTY EQUIPMENT

Upon recommendation of Dave Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond be authorized to execute:

RESOLUTION - A RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO ENTER INTO AGREEMENTS FOR THE USE OF COUNTY EQUIPMENT IN THE NORTHERN WASHOE COUNTY AREA PURSUANT TO CERTAIN CRITERIA.

WHEREAS, NRS 244.273 prohibits the use of County equipment for private purposes except in an emergency or in those instances where the Board deems such use to be in the best interest of the County; and

WHEREAS, residents in the northern area of Washoe County - specifically those residing in Gerlach, Vya and Empire - are unable to obtain the services of Truckee Meadows urban area contractors for routine and minor grading, hauling and similar jobs except at an excessive price necessitated by the cost of transport to and from the Truckee Meadows urban area; and

WHEREAS, there are either none or a limited number of contractors in the northern area of Washoe County able or willing to provide minor contract services such as grading and hauling; and

WHEREAS, occasional use of County Equipment for said minor jobs will not unduly impact County equipment; and

WHEREAS, this Board deems it in the best interest of the County that assistance through the use of County equipment and personnel be provided for the occasional and minor jobs that otherwise would be financially prohibitive for the residents of the northern area of Washoe County;

NOW, THEREFORE, BE IT RESOLVED that the Director of Public Works is hereby delegated authorization to enter into agreements on behalf of the County providing for the use of County equipment and personnel only where all of the following conditions have been met:

1. The agreement provides for compensation in the amount of the fair rental value of the equipment and the appropriate compensation for County personnel working beyond or outside their scheduled shift;
2. The agreement is approved by the Risk Manager and District Attorney.
3. A determination by the Public Works Director that no local equipment or service is available to provide said service;
4. A determination by the Public Works Director that the purpose for which the equipment/personnel is being requested falls within the category of occasional or minor.

BE IT FURTHER RESOLVED that the Director of Public Works maintain documentation of each request and agreement and submit to the Board of County Commissioners an annual report specifying the number of agreements entered into, the type of job involved by category, the amount of time invested by County personnel and an estimate of any impact on County equipment used.

98-963 RESOLUTION - INITIATE AMENDMENT TO THE WASHOE COUNTY COMPREHENSIVE PLAN & WASHOE COUNTY DEVELOPMENT CODE - WARM SPRINGS AREA - GENERAL RURAL RESIDENTIAL STANDARDS

Dean Diederich, Planning Manager, Department of Community Development, provided background information and responded to questions of the Board. On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Bond be authorized to execute:

RESOLUTION

INITIATING AN AMENDMENT TO THE WASHOE COUNTY COMPREHENSIVE PLAN AND THE WASHOE COUNTY DEVELOPMENT CODE RELATING TO WARM SPRINGS AREA - GENERAL RURAL RESIDENTIAL STANDARDS

WHEREAS, In response to difficulty in the interpretation and enforcement of General Rural Residential standards, modifications may be necessary to improve the implementation of the Warm Springs Area Plan, being a part of the WASHOE COUNTY COMPREHENSIVE PLAN, and the related sections in the WASHOE COUNTY DEVELOPMENT CODE;

WHEREAS, There is a need to initiate an amendment to the WASHOE COUNTY COMPREHENSIVE PLAN and the WASHOE COUNTY DEVELOPMENT CODE to eliminate potential conflicts between the Warm Springs planning area regulations and the standards for the rest of the County;

WHEREAS, The current Warm Springs Area Plan General Rural Residential standards have resulted in confusion and concern for vendors of fabricated housing products; and

WHEREAS, There is no one person, group or entity who might appropriately file a WASHOE COUNTY COMPREHENSIVE PLAN amendment, or a WASHOE COUNTY DEVELOPMENT CODE amendment application on this subject; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, that the Board does hereby initiate an amendment to the WASHOE COUNTY COMPREHENSIVE PLAN and the WASHOE COUNTY DEVELOPMENT CODE, as authorized by Sections 110.818.05(a) and 110.820.05(b) of the Development Code, without prejudice to the final dispensation of the proposed amendments.

98-964 RESOLUTION - INCREASING CHANGE FUND - DISTRICT HEALTH DEPARTMENT

Upon recommendation of Bill Berrum, Treasurer, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that the following resolution be adopted and that Chairman Bond be authorized to execute on behalf of Washoe County:

WHEREAS, the Board of County Commissioners of Washoe County, pursuant to NRS 354.609, has the authority to create and fund Change Fund accounts; and

WHEREAS, the Washoe County District Health Department has requested an increase in their Change Fund from \$1,300.00 to \$1,500.00 to assist in the administration of that office;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, as follows:

1. That, pursuant to the provisions of NRS 354.609, the County Treasurer and County Comptroller are hereby authorized and directed to take all necessary steps to establish and account for a \$200.00 increase in the Change Fund (for a total of \$1,500.00) for the Washoe County District Health Department.
2. That the above mentioned additional \$200.00 will be transferred from the Washoe County Treasurer's Commercial Bank Account.
3. That said Change Fund be used exclusively for transactions related to the Washoe County District Health Department.
4. That the Administrative Health Services Officer shall henceforth be held accountable for the Change Fund authorized by this resolution.
5. That the County Clerk is directed to distribute copies of this resolution to the Washoe County Treasurer, Comptroller, Administrative Health Services Officer and the Nevada Department of Taxation.

98-965 ADDITIONAL FUNDING - CONTINUE RETENTION OF OUTSIDE ATTORNEY - WASHOE COUNTY V. LANGON AND PETERSON

Upon recommendation of John Sherman, Management Analyst, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that an additional expenditure of \$7,500 to continue the retention of the law firm of Marshall Hill Cassas & de Lipkau to represent the County in the case of Washoe County v. Langon and Peterson, Case No. CV97-02336, be approved.

98-966 ACCEPT GRANT OF EASEMENT - DOUBLE DIAMOND RANCH - MONITORING WELL - WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the grant of easement from the Double Diamond Ranch, L.L.C. as Grantor and Washoe County as Grantee for construction and maintenance of a monitoring well, which will be used to sample ground water as required by the effluent discharge permit, be accepted and that Mr. Collins be directed to record same with the County Recorder's office.

98-967 AUTHORIZATION FOR NON-COUNTY EMPLOYEES TO DRIVE COUNTY VEHICLES - REGISTRAR OF VOTERS

Upon recommendation of Laura Dancer, Registrar of Voters, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Pete Spanos, Lynn McCormick, Bill Stout and John Pratt be authorized to drive County vehicles in the course of their assignments to the Office of the Registrar of Voters. It was noted that these individuals are employees of Interim Personnel; that Interim Personnel has provided a Certificate of Insurance issued to Washoe County; that each driver has his/her own insurance; and that during early voting times and while troubleshooting on Election Day, it will be necessary that some of these individuals drive to and from polling places.

98-968 AUTHORIZATION FOR STUDENT INTERNS TO DRIVE COUNTY VEHICLES - SOCIAL SERVICES

Upon recommendation of May Shelton, Director, Social Services Department, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the University of Nevada social work student interns assigned to the Department of Social Services be authorized to drive County vehicles.

98-969 AUTHORIZATION TO REIMBURSE NON-COUNTY EMPLOYEE FOR COUNTY RELATED TRAVEL - DISTRICT HEALTH DEPARTMENT

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Ms. Ardith Carrick be reimbursed using federal funds for travel costs to attend a conference in Kansas City, Missouri, on October 14-15, 1998.

98-970 ACCEPTANCE OF DONATION - SORBENT PRODUCTS COMPANY - DISTRICT HEALTH DEPARTMENT

Upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the donation of the following spill containment and clean-up materials from the Sorbent Products Company be accepted with the Board's gratitude:

- SPC 810 Floating Boom (1)
- SN 510 Floating Boom (11)
- UN 3800 Absorbent Rolls (46)
- UXT 508 Absorbent Mini-booms (16)
- SXT 622 Absorbent Drum top Covers (18)
- UN 1300 Absorbent Rolls (15)
- SIR 001 Absorbent Pads

98-971 ACCEPTANCE OF DONATION - PARASOL FOUNDATION OF INCLINE VILLAGE - INCLINE VILLAGE CONSTABLE

Upon recommendation of Brian Mirch, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that a donation of \$7,575 from the Parasol Foundation of Incline Village to the Incline Village Constable's office be accepted with the Board's gratitude. It was further ordered that the following account changes be approved:

INCREASE	ACCOUNT	AMOUNT
01-1261-5801	Donations	\$7,575.00
01-1261-7370	Safety Expense	\$4,125.00
01-1261-7375	Special Awards	\$3,450.00

98-972 ACCEPTANCE OF DONATION - WESTERN STATES HOSTAGE NEGOTIATORS' ASSOCIATION - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that a \$2,500 donation from the Western States Hostage Negotiators' Association (W.S.H.N.A.) be accepted with the Board's gratitude. It was noted that the funds will be placed in an account for the purchase of equipment for the Washoe County Sheriff's Office Hostage Team.

98-973 ACCEPTANCE OF DONATIONS - PARASOL FOUNDATION - INCLINE VILLAGE SHERIFF SUBSTATION

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that donations from the Parasol Foundation of Incline Village in the amount of \$12,950 for Ballistic Vests, a Public Safety Employee Appreciation Dinner, and Employee of the Month Gift Certificates be accepted with the Board's gratitude.

98-974 RETENTION PLAN FOR COPS UNIVERSAL HIRING GRANT - SHERIFF

Per discussion at Caucus, Gary Goelitz, Senior Administrative Analyst, distributed additional information from the U.S. Department of Justice concerning continuation of the COPS grant.

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that retention of and funding for ten Deputy Sheriff positions established under the Universal Hiring Grant at the conclusion of the grant in January 2000 be approved. It was further ordered that it is the County's intent to continue these ten positions without a reduction of authorized Deputy Sheriff positions and the County will make every reasonable effort to continue the funding of these positions in the future, contingent upon the County's fiscal conditions.

98-975 ACCEPTANCE OF TRAINING FUNDS - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that authorization be granted to accept training funds of \$16,538.00 provided by the Department of Administration, through the Chapter 372A Taxes account, to the members of the Washoe County Sheriff's Office, Consolidated Narcotics Unit. It was noted that these funds will allow members of the Consolidated Narcotics Unit to pay for tuition, air fare, lodging and per diem expenses to attend the California Narcotics Officers Association annual conference scheduled for November 21 - 24, 1998, in San Diego, California.

98-976 UNBUDGETED CAPITAL OUTLAY - COMPUTER VOICE STRESS ANALYZER - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the purchase of an unbudgeted capital outlay item, the Computer Voice Stress Analyzer (C.V.S.A.), for the Sheriff's Office at a cost of \$8,815.00 and tuition for training one detective at a cost of \$1,155.00, for a total of \$9,970.00, be approved. It was noted that the C.V.S.A. will enable detectives to utilize a quicker and more field expedient lie detector system during interviews.

98-977 CORRECTION OF CLERICAL AND FACTUAL ERRORS - 1998/99 SECURED TAX ROLL

Upon recommendations by Jean Tacchino and Tom Sokol, Assistant Chief Deputy Assessors, on motion by Commissioner Galloway, seconded by

Commissioner Camp, which motion duly carried, it was ordered that the following Roll Change Requests, correcting clerical and factual errors on tax bills already mailed, be approved for the reasons stated thereon and mailed to the affected property owners, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and Chairman Bond be authorized to execute on behalf of the Commission.

NAME	APN
Sparks Masonic Building Association	027-281-16
Bobby J. & Barbara J. Asher	080-522-66
Stanley K. Kinder	084-060-12
John D. Mouchou	085-043-18
Dorothy Lemelson	122-100-24
Doris Hutchins	504-030-29
Diversified Development & Construction	518-130-19
Judith A. Buckingham, Tr.	130-241-51
Richard J. & Sandra T. Goetze	020-011-08
Bruno & Edna B. Benna	016-730-11
Kenneth F. & Anny M. Miller	006-131-23
NH6 LR V, Ltd.	032-012-08
Raymond W. & Betty L. West, Tr., et al.	049-450-21
Chester C. & Helen S. Helsing	085-102-18
AT & T Communications of Nevada	050-351-19
Robert R. & Thelma J. Watson	518-443-01

98-978 REFUND OF TAXES - RENO INVESTORS

Consideration of the Deputy District Attorney's recommendation to grant the request by Reno Investors for a refund of taxes was continued to a time when all Board members are present.

98-979 ACCEPTANCE OF DEED - ST. JAMES WELL AND TANK SITES - UTILITY SERVICES DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Deed between St. James Village, Inc., as Grantor, and Washoe County as Grantee transferring the well sites, tank site and associated access and drainage easements to Washoe County be accepted; that Chairman Bond be authorized to execute on behalf of Washoe County; and that the Utility Services Division

Manager be directed to record the Deed with the County Recorder's Office.

98-980 WATER RIGHTS DEED - BRADDOCK & LOGAN GROUP, L.P.

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following actions be taken regarding South Meadows Properties and the George Wallace parcel map:

1. The Water Rights Deed for 37.49 acre-feet being a portion of Permit 53248, between Braddock & Logan Group, L.P., as Grantor, and Washoe County, as Grantee, be approved and Chairman Bond be authorized to execute;
2. The Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that 32.11 acre-feet are being dedicated in support of South Meadows Properties; 2.02 acre-feet are in support of the George Wallace parcel map; and the remaining 3.36 acre-feet are in support of future development.

98-981 AFFIDAVIT OF WAIVER AND CONSENT - SPECIAL ASSESSMENT DISTRICT NO. 21 - COLD SPRINGS WASTEWATER - UTILITY SERVICES DIVISION

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an Affidavit of Waiver and Consent to redistribute SAD 21 assessments be accepted; that Chairman Bond be authorized to execute on behalf of Washoe County; and that the Manager of the Utility Services Division be directed to record the Affidavit with the County Recorder's office.

98-982 TRANSFER OF APPROPRIATIONS WITHIN DISTRICT COURT BUDGET

Upon recommendation of Cathy Krolak, Court Administrator, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the following transfers of appropriation authority within the budget of the District Court in order to increase existing line item budgets within the services and supplies category and to more accurately reflect planned and/or anticipated expenses be approved:

DECREASE ACCOUNT	AMOUNT	INCREASE ACCOUNT	AMOUNT
001-1210-7025	\$22,000.00	001-12102-7103	\$10,000.00
001-12103-7001	4,000.00	001-121201-7462	6,000.00
001-12103-70021	4,000.00	001-12101-7205	9,475.00
001-12121-7322	5,000.00	001-12106-7322	2,000.00
001-1212-70021	9,428.00	001-12104-7222	14,428.00
001-121201-70021	3,475.00	001-1210-7250	6,000.00

TOTAL

\$47,903.00

TOTAL

\$47,903.00

98-983 CAPITAL OUTLAY - AUDIO-VISUAL COURT RECORDING SYSTEM - DISTRICT COURT

Upon recommendation of Cathy Krolak, Court Administrator, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that an addition to the Approved Capital Outlay list for the purchase of an automated audio-visual court recording system in the amount of \$21,335 for the Family Court Division of the District Court be approved. It was noted that this equipment will eliminate the need for a court reporter in Department 5; that court reporters are paid \$240 per day; that this expense will result in a savings of approximately \$30,000 per year; and that the purchase will be funded by using court reporter per diem appropriations.

98-984 AMERICAN PLANNING ASSOCIATION, NEVADA CHAPTER - AWARD - OUTSTANDING PLANNING PROGRAM FOR 1998

Mike Harper, Department of Community Development, stated that the Nevada Chapter of the American Planning Association has recognized the Design Review Committee process and Design Awards Program with its highest honor, Outstanding Planning Program for 1998. Mr. Harper asked that the Board recognize the efforts of Cheryl Ryan who actually deserves the credit for transforming the Design Review Committee into a very effective organization and also taking it a step further by creating the Design Awards Program.

Chairman Bond read the award plaque and presented it to Ms. Ryan with the Board's congratulations.

Ms. Ryan stated that the Design Review Committee was Mr. Harper's vision and thanked the Board for their support.

98-985 AWARD OF BID - PHILLIP-ANNIE CALLAHAN RANCH PARK PHASE I - PUBLIC WORKS DEPARTMENT

This was the time to consider award of bid, Notice to Contractors for receipt of sealed proposals having been published in the Reno Gazette-Journal on September 2 and 9, 1998, for Phillip-Annie Callahan Ranch Park, Phase I, PWP-WA-1999-44, for the Public Works Department. Proof was made that due and legal Notice had been given. Following is a summary of the bids received:

Engineer's Estimate	\$375,032.80
V & C Construction	\$488,432.80
Atlas Construction	\$462,242.15

Upon recommendation of Janelle Thomas, P.E., Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that all bids submitted for Phillip-Annie Callahan Ranch Park, Phase I, be rejected and that staff be directed to rebid the project in February, 1999.

98-986 AWARD OF BID - MICROSOFT SELECT 4.0 PROGRAM - BID NO. 2107-99 - M.I.S. DEPARTMENT

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on August 26, 1998, for a Microsoft Software Select 4.0 Program for the Management Information Services (M.I.S.) Department. Proof was made

that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

CompUSA
Computerland of Reno
Computability LTD
Dell Marketing
Softmart, Inc.
Software Spectrum

Twelve potential bidders failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Bid No. 2107-99 for a Microsoft Software Select 4.0 Program on behalf of the Management Information Services (M.I.S.) Department be awarded to the lowest responsive and responsible bidder, CompUSA, in the approximate amount of \$109,340.00 for the two-year contract.

98-987 AWARD OF BID - ARTICULATED TRACTOR WITH SNOW BLOWER ATTACHMENT - BID NO. 2117-99 - PUBLIC WORKS DEPARTMENT

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on September 17, 1998, for an articulated tractor with snow blower attachment for the Public Works Department.

Proof was made that due and legal Notice had been given.

Commissioner Galloway stated that the funding for this particular item was raised by tax levy on commercial development in the North Lake Tahoe area solely and that it is his hope that this equipment stay at Lake Tahoe. Mike Harper, Department of Community Development, advised that by law equipment obtained with community plan funds has to stay in the community plan area. Dick Minto, Public Works Department, stated that he is confident that the recommended award will do the job for which it is needed.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Snoquip
Star's Snowblowing

Kodiak Northwest Inc. and Tucker Sno-Cat Corp. submitted "no-bid" responses; and Sales Unlimited failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Bid No. 2117-99 for an articulated tractor with snow blower attachment on behalf of the Public Works Department be awarded to the low bidder, Snoquip, in the amount of \$50,661.00 as follows:

Bid Item #1: 1-each Trackless MT5T Municipal Tractor with Pronovost P862TRC-74" Snowblower, with rear PTO

It was further ordered that this equipment be used only in the community plan area from which the funds were raised.

98-988 RESIGNATION & APPOINTMENT - AIRPORT NOISE ADVISORY PANEL

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the resignation of Hilary Huffman from the Airport Noise Advisory Panel be formally accepted effective immediately.

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Stephen Schumacher be appointed to fill Mr. Huffman's unexpired term to May 31, 1999.

98-989 REMOVAL, RESIGNATION & APPOINTMENTS - EAST WASHOE VALLEY CITIZEN ADVISORY BOARD

On motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the following actions occur concerning the East Washoe Valley Citizen Advisory Board:

1. Edward Telka be removed as an at-large representative;
2. Darryl Bush be appointed to fill Mr. Telka's unexpired term to June 30, 1999;
3. The resignation of Ivo Bergsohn, an at-large representative, be accepted; and
4. Jeanne Ruefer be appointed to fill Mr. Bergsohn's unexpired term to June 30, 2000.

98-990 APPOINTMENTS - SOUTHWEST TRUCKEE MEADOWS CITIZEN ADVISORY BOARD

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Robert Cameron be appointed to the Southwest Truckee Meadows Citizen Advisory Board as the Mt. Rose area representative with a term to expire June 30, 2000; and that Gene Ceragioli be appointed as the Lakeside/Holcomb representative with a term to expire June 30, 2000.

98-991 APPOINTMENT - MANAGEMENT INFORMATION SERVICES DIRECTOR

Upon recommendation of Katy Simon, County Manager, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Matt Beckstedt be appointed as Management Information Services (M.I.S.) Director with a salary of \$78,644.80.

98-992 ACCEPTANCE OF GRANT & EXECUTION OF AGREEMENT - SUPREME COURT OF NEVADA - DISTRICT COURT

Upon recommendation of Cathy Krolak, Court Administrator, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that an agreement between Washoe County and the Supreme Court of Nevada, Administrative Office of the

Courts (AOC), concerning acceptance of a grant in the amount of \$18,000 for the purchase of laptop computers for the District Judges, be approved and Chairman Bond be authorized to execute. It was further ordered that the following account transactions be approved:

INCREASE:

12134D-4302	\$18,000.00
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INCREASE:

12134D-72051	\$18,000.00
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98-993 AGREEMENT - DAVID M. BENNETT - PROFESSIONAL SERVICES - JAIL POPULATION MANAGEMENT - FINANCE

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an agreement between Washoe County and David M. Bennett, concerning consulting services for continuing implementation of a jail population management plan and development of recommendations to improve the efficiency and effectiveness of Washoe County's Criminal Justice System and Courts, effective from July 1, 1998 to June 30, 1999, in the amount of \$45,000, be approved and Chairman Bond be authorized to execute on behalf of Washoe County.

98-994 AGREEMENT - SOCIAL SECURITY ADMINISTRATION - IDENTIFICATION OF INDIVIDUALS RECEIVING BENEFITS WHILE INCARCERATED - SHERIFF

Upon recommendation of Sheriff Richard Kirkland, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an agreement between Washoe County and the Social Security Administration concerning identification of individuals receiving Social Security benefits while incarcerated be approved and Chairman Bond be authorized to execute on behalf of Washoe County. It was noted that Washoe County will receive a cash payment for each individual reported.

98-995 AGREEMENT - U.S. ARMY CORPS OF ENGINEERS - RENO-SPARKS METROPOLITAN FLOOD WARNING SYSTEM - AND INTERLOCAL COOPERATIVE AGREEMENT - CITIES OF RENO AND SPARKS - DEPARTMENT OF WATER RESOURCES

Leonard Crowe, Water Resources Planning Manager, provided background information on the current status of the existing flood warning system and answered additional questions of the Board.

Upon recommendation of Mr. Crowe, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that:

1. A Federal Cost Sharing agreement between Washoe County and the U.S. Army Corps of Engineers concerning construction, operation and maintenance of the Reno-Sparks Metropolitan Flood Warning System, with a total project capital cost of \$1,020,400 of which \$655,900 is budgeted for this fiscal year be approved and Chairman Bond be authorized to execute on behalf of Washoe County. It was noted that the local share for this fiscal year's capital expenditure is \$209,565 and the operation and maintenance cost is estimated to be \$181,000 per year.

2. An Interlocal Cooperative Agreement between the City Council of the City of Reno, the City Council of the City of Sparks, and the Board of

County Commissioners of Washoe County, which sets forth the duties of the parties and the cost sharing by the parties of \$70,000 each for capital and \$60,300 each for O&M for this fiscal year, be approved and Chairman Bond be authorized to execute on behalf of Washoe County.

98-996 AGREEMENT - REGIONAL TRANSPORTATION COMMISSION & FILIBERTO FERRONI - WEST ZOLEZZI LANE & SILVER WOLF ROAD INTERSECTION IMPROVEMENTS - PUBLIC WORKS DEPARTMENT

Upon recommendation of Clara Lawson, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a Capital Contribution Front Ending Agreement (CCFEA) between Washoe County, the Regional Transportation Commission, and Filiberto Ferroni concerning intersection improvements at West Zolezzi Lane and Silver Wolf Road be approved and Chairman Bond be authorized to execute on behalf of Washoe County.

98-997 BILL NO. 1217 - AMENDING WCC CHAPTER 110 - DEVELOPMENT CODE - PARKING REQUIREMENTS FOR FABRICATED HOUSING SALES; PARCEL MAPS; SUBDIVISION MAPS, ETC. - DEVELOPMENT CODE AMENDMENT DCA 98-6

Mike Harper, Department of Community Development, stated that a number of "streamlining" changes are being proposed for various planning items, such as changing most of the decision making to the lowest level that State law permits with all items still appealable to the Board of County Commissioners. He further stated that the proposed changes will reduce the amount of time, for both staff and applicants, to process applications which will help to keep costs down.

Bill No. 1217, entitled, "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE TO AMEND SECTION 110.410.10 AND TABLE 110.410.10.1 TO ADD PARKING REQUIREMENTS FOR FABRICATED HOUSING SALES, AND TO AMEND ARTICLE 606, PARCEL MAPS, ARTICLE 608, TENTATIVE SUBDIVISION MAPS, ARTICLE 610, FINAL SUBDIVISION MAPS, ARTICLE 612, DIVISION OF LAND INTO LARGE PARCELS, ARTICLE 614, REVERSION TO ACREAGE, ARTICLE 616, AMENDMENTS OF MAP, ARTICLE 806, VACATIONS AND ABANDONMENT'S OF EASEMENTS OR STREETS, AND ARTICLE 814, DEVELOPMENT AGREEMENTS, TO REFLECT CHANGES TO THE NEVADA REVISED STATUTES ENACTED IN 1997, AND OTHER MATTERS PERTAINING THERETO" was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

98-998 AMENDMENT TO RULES AND PROCEDURES - 1997/98 BOARD OF COUNTY COMMISSIONERS

Commissioner Galloway noted that the significant rule changes are that the rule on ex-parte communication on an appeal has been changed to reflect that any such ex-parte communications will be disclosed on the record and stated that his own personal rule will be that he will not accept any untimely information concerning an appeal unless it is in writing.

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Rules and Procedures for the 1997/98 Washoe County Board of Commissioners as presented in the agenda backup material dated September 30, 1998, and placed on file with the Clerk, be adopted.

98-999 PROPOSED NEW RULE - 1997/98 BOARD OF COUNTY COMMISSIONERS RULES AND PROCEDURES - TAX ISSUES BETWEEN ELECTION & INSTALLATION OF NEW BOARD MEMBERS

Commissioner Galloway proposed a new rule for the Board's Rules and Procedures which stated that "no item may be agendized for action on changing tax rates or adding new taxes during the interim between a general election and the installation of any newly elected Commissioners." He explained that his attempts to get the Board to put the sales tax to a vote of the people failed and that he feels this rule is necessary to ensure Board members' accountability to the public.

Chairman Bond and Commissioner Shaw stated that they do not feel such a rule is necessary and that it only adds to the bureaucracy.

Ted Short, Virginia Foothills resident, spoke in support of putting the sales tax issue to a public vote.

Dave Howard, Reno-Sparks Chamber of Commerce, stated that this discussion is about the progress of this community, not the Board's rules; that both the Clark County Commission and the Washoe County Commission made a commitment to the 1997 State Legislature that if they were granted authority to raise sales tax, they would do so; that it is now October and neither county has done so; and that he is urging that the Board not adopt this rule.

Ike Eichbaum, South Hills resident, spoke in support of Mr. Galloway's proposal and having all taxes voted on by the people.

The discussion strayed off towards whether the sales taxes should be raised with or without a vote of the people. Chairman Bond brought the discussion back to the agenda item concerning whether the Board's rules should be changed as proposed.

Commissioner Galloway made a motion that his proposed new rule be adopted. The motion died for lack of a second.

98-1000 PROPOSED NEW RULE - 1997/98 BOARD OF COUNTY COMMISSIONERS RULES AND PROCEDURES - SUSPENSION OF RULES

Upon recommendation of Maureen Griswold, Deputy District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that the following rule be adopted as Rule No. 10 to the Rules and Procedures for the 1997/1998 Washoe County Board of Commissioners: Suspension of Rule(s): Any rule may be suspended at any time by a simple majority vote of the Board of County Commissioners, so long as the action to suspend the rule is listed as an action item on the agenda of a duly noticed meeting of the Board.

It was further ordered that the following policy statement be added to the adopted rules:

The Rules and Procedures for the 1997/98 Washoe County Board of Commissioners are not intended to legally bind the Washoe County Commission and are proposed only for the benefit of the Commission and do not confer any rights upon third persons.

98-1001 TRANSFER FROM CONTINGENCY - REGISTRAR OF VOTERS

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that continued funding of the Cartographer position within the Registrar of Voter's Office through May 30, 1999, per the memorandum from the Registrar of Voters dated October 2, 1998, and placed on file with the Clerk, be approved and that the following transfer from Contingency be approved:

Transfer From:

Account	Account Description	Amount
001-1890-7328	Contingency	\$28,300.00

Transfer To:

Account	Account Description	Amount
11221-7001	Salaries	\$18,960.00
11221-7048	Fringe Benefits	\$ 9,340.00

98-1002 BILL NO. 1215 - ORDINANCE NO. 1039 - AMENDING WCC CHAPTER 110 (DEVELOPMENT CODE) - REGULATING AGGREGATE FACILITIES

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on October 2, 1998, to consider second reading and adoption of Bill No. 1215. Proof was made that due and legal Notice had been given.

Ron Gilgore, Department of Community Development, provided background information regarding the ordinance and discussed an amendment to Section 110.332.40(a) (Periodic Review of Conditions) which was placed on file with the Clerk.

The Chairman opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no response Chairman Bond closed the public hearing.

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Ordinance No. 1039, Bill No. 1215, entitled, "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE TO ADD AN ARTICLE SPECIFICALLY REGULATING AGGREGATE FACILITIES (ARTICLE 332), TO CHANGE THE REGULATION OF MINING (ARTICLE 334) GENERALLY CONSISTENT WITH THE NEW REGULATIONS FOR AGGREGATE FACILITIES, AND TO ESTABLISH NEW PROCEDURES FOR THE ENFORCEMENT OF THE CONDITIONS OF APPROVAL OF AGGREGATE FACILITIES AND MINING," be approved and adopted as amended, and published in accordance with NRS 244.100 subject to the following findings:

FINDINGS:

1. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purpose for the Development Code as expressed in Article 918, Adoption of the Development Code.
3. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allows for a more desirable utilization of land within the regulatory zones.

4. The proposed amendment to the Washoe County Development Code will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Comprehensive Plan.
5. The Washoe County Planning Commission public hearing, prior to the adoption of the proposed amendment to the Washoe County Development Code, has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).
6. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
7. The Washoe County Board of County Commissioners gave reasoned consideration to the information transmitted from the Washoe County Planning Commission and to the information received during the public hearing.

98-1003 DEVELOPMENT CODE AMENDMENT DCA98-2 - AMENDING CHAPTER 110 (DEVELOPMENT CODE) - ORDINANCE NO. 1040, BILL NO. 1216 - PROHIBITING USE VARIANCES

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on October 2, 1998, to consider second reading and adoption of Bill No. 1216. Proof was made that due and legal Notice had been given.

Don Young, Department of Community Development, provided background information regarding the Development Code Amendment.

The Chairman opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Ordinance No. 1040, Bill No. 1216, entitled, "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE TO SPECIFICALLY PROHIBIT USE VARIANCES (SECTION 110.302.00), TO DELETE THE REGULATIONS REGARDING HOME OCCUPATIONS (ARTICLE 308), TO REMOVE CONFORMANCY REQUIREMENTS FOR VARIANCES (SECTION 110.804.35), SPECIAL USE PERMITS (SECTION 110.810.45) AND ADMINISTRATIVE PERMITS (SECTION 110.808.25), AND TO ESTABLISH NEW PROCEDURES FOR THE ISSUANCE OF ADMINISTRATIVE PERMITS (ARTICLE 808)," be approved, adopted and published in accordance with NRS 244.100 subject to the following findings:

FINDINGS:

1. The proposed amendments to the Washoe County Development Code are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendments to the Washoe County Development Code will not adversely impact the public health, safety, or welfare, and will promote the original purpose for the Development Code as expressed in Article 918, Adoption of Development Code.
3. The proposed amendments to the Washoe County Development Code will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Comprehensive Plan.

4. The Washoe County Planning Commission public hearing prior to the adoption of the proposed amendment to the Development Code has been properly noticed in a newspaper of general circulation in the County as prescribed under Development Code Section 110.820(a) and Nevada Revised Statutes 278.260, and distributed to all Citizen Advisory Board members as prescribed under Development Code Section 110.820(b).

5. The Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing(s).

6. The Washoe County Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing(s).

98-1004 SPECIAL ASSESSMENT DISTRICT NO. 25 - CALLE DE LA PLATA

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on September 25, October 2 and October 9, 1998 to hold an Assessment Hearing on that certain area to be assessed for a street improvement project within the Washoe County, Nevada, Special Assessment District No. 25, Calle de La Plata, for the receipt of any written or oral complaints, protests, or objections and to be heard in conjunction with a Resolution and Ordinance to follow. Proof was made that due and legal notice had been given.

Bond Counsel John Swendseid was present to answer questions of the Board regarding this item.

Chairman Bond advised that she had received a written protest from Richard Aguilar, Peggy Nelson-Aguilar and Robert Aguilar, 3796 Bellingham Drive, Reno, Nevada, requesting that they not be included in the Assessment District for the reason that, upon the purchase of their property, Valle De Sol, a county road, was listed on all maps as their access from Pyramid Highway; that this road has subsequently been abandoned; that they have found an alternate route to their property (La Pasado to Cielo Vista to Valle De Sol to Aguilar Court); and that they have found Calle De La Plata to be an inconvenient access to their home.

David Roundtree, Public Works Director, discussed the protest received from the Aguilars stating that they have looked at all easements on recorded maps; that their legal access is out to Calle De La Plata and therefore appropriately included in the district suggesting that this protest be overruled.

Mr. Roundtree further advised that he had received a protest from Cecelia Nichols who advised that her property is vacant and does not feel she is receiving as many benefits from the improvements as those property owners who already have homes on their parcels. Mr. Roundtree stated that Ms. Nichols property is very similar to many other properties in the area which are 50% vacant suggesting that the Board overrule this protest as well.

Chairman Bond opened the public hearing and called on anyone wishing to speak. There being no response from those present, Chairman Bond closed the public hearing.

A RESOLUTION CONCERNING WASHOE COUNTY NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 25 (CALLE DE LA PLATA); OVERRULING COMPLAINTS, PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING ON SAID ASSESSMENT ROLL; VALIDATING AND CONFIRMING SAID ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISION HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (the "County"), in the State of Nevada, pursuant to an Ordinance, adopted October 17, 1997 (the "District Ordinance"), created Washoe County, Nevada, Special Assessment District No. 25 (Calle De La Plata) (the "District") and ordered the acquisition of a street project for the District (the "Project"); and

WHEREAS, the Board has heretofore determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracks and parcels of land in said District; and

WHEREAS, the Board has heretofore determined and does hereby declare that the net cost to the County of all the improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$490,935.17, which amount is to be assessed upon the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Board by a resolution duly adopted on September 22, 1998, directed the County Engineer (the "Engineer") to make out a preliminary assessment roll; and

WHEREAS, the Board together with the Engineer made out an assessment roll for said District which contains, among other things, the names and addresses of the last-known owners of the property to be assessed, or if not known stating that the name is "unknown"; a description of each lot, tract or parcel of land to be assessed; and the amount of the proposed assessment to be levied thereon; and said Engineer has reported said assessment roll to the Board and filed the same with the County Clerk; and

WHEREAS, the Board by resolution duly adopted on September 22, 1998, established a date, time and location at which the Board would hear and consider any and all complaints, protests and objections to the assessment roll and to the assessments contained therein; and

WHEREAS, the Board has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the County Clerk, and that the Board would hear and consider any and all complaints, protests or objections on Tuesday, October 13, 1998 at 5:00 p.m., at the First Floor Commission Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada; and

WHEREAS, the Board met at said place and time to hear and consider all complaints, protests and objections made or filed; and

WHEREAS, there were two (2) written and zero (-0-) oral protests or objections; and

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the Board on October 13, 1998, and after extensive review and deliberation hereby are found to be without sufficient merit and are hereby overruled.

WHEREAS, the Board has determined and does hereby again determine, that all of the assessable property in the County which is specially

benefited by the improvements acquired in the District, and only the property which is so specially benefited, is included on the assessment roll heretofore filed with the County Clerk on September 22, 1998; and

WHEREAS, the Board has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on October 13, 1998, on said assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District which may directly and adversely affect his or her legally protected rights and interests.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:

Section 1. This resolution shall be known as and may be cited by the short title "District No. 25 (Calle De La Plata) Assessment Protest Resolution" (the "Resolution").

Section 2. All complaints, protests and objections, both written and oral, are hereby found to be without sufficient merit and are hereby overruled.

Section 3. The Board hereby validates and confirms the assessment roll for the District, as made out by the Board, together with the Engineer, and filed in the records of the office of the County Clerk on September 22, 1998, is hereinabove modified, revised, corrected and made de novo.

Section 4. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the Provisions of this Resolution) concerning Special Assessment District No. 25 (Calle De La Plata), including but not limited to the acquisition of street improvements and the validation and confirmation of the assessment roll and the assessments therein, be, and the same hereby are, ratified, approved and confirmed.

Section 5. The Engineer and officers of the County be, and hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. All resolutions, or parts thereof, in conflict with this Resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Resolution or part of any Resolution heretofore repealed.

Section 7. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no way effect any unremaining provisions of this Resolution.

Section 8. The Board has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

98-1004 BILL NO. 1218 - SPECIAL ASSESSMENT DISTRICT NO. 25 - CALLE DE LA PLATA

Bill No. 1218 entitled "AN ORDINANCE CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 25 (CALLE DE LA PLATA); ASSESSING THE COST OF STREET IMPROVEMENTS AGAINST THE ASSESSABLE TRACTS OF LAND BENEFITED BY SAID IMPROVEMENTS; DESCRIBING

THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE

HEREOF. ," was introduced by Commissioner Shaw, the title read to the Board, and legal notice for final action of adoption directed.

98-1005 ABANDONMENT CASE NO. AB7-9-98 - MICHAEL AND PAULA PERICH (APN: 131-211-08)

5:00 p.m. This was the time set in a Notice of Public Hearing mailed by certified mail to abutting property owners on September 30, 1998 and published in the Reno Gazette-Journal on October 2, 1998 to consider the recommendation of the Washoe County Planning Commission to grant conditional approval of Abandonment Case No. AB7-9-98 as requested by Michael and Paula Perich to abandon that portion of the county right-of-way upon which a portion of an entry deck (including roof overhangs) attached to a single family residence were constructed. The approximate size of the encroachment is 12 feet x 15 feet. The property is located at 561 Fairview Boulevard, Lot 19, Block E, Country Club of Incline Subdivision. The ñ1.06-acre parcel is designated Medium Density Suburban (MDS) in the Tahoe Area Plan and situated in a portion of Section 11, T16N, R18E, MDM, Washoe County, Nevada. Proof was made that due and legal notice had been given.

Dean Diederich, Department of Community Development, provided background information regarding the abandonment request.

Robert Angres, Attorney representing applicants, was present to answer questions of the Board.

Chairman Bond opened the public hearing and called on those wishing to speak. There being no response the public hearing was closed.

It being the consensus of the Board that NRS 278.840 is being complied with and that the abandonment of a portion of the county right-of-way described in the aforesaid Notice appears to be in the best interest of the public and that no person would be materially injured thereby, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Abandonment Case No. AB7-9-98 for Michael and Paula Perich be approved subject to the following conditions:

1. Prior to the recordation of the Resolution and Order of Abandonment, the applicant shall submit to the County Engineer for review and approval a legal description prepared by a registered professional for the area of abandonment.
2. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities which originally accepted and approved said easements as well as any other public utilities now in existence which currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements to said utilities and the relinquishment by said public utilities of their former easements.
3. The applicant shall comply with all conditions necessary to effect the Resolution and Order of Abandonment within two years from the date of the action by the Board of County Commissioners or this conditional abandonment will be null and void.

98-1006 SPECIAL USE PERMIT CASE NO. SPW6-26-98 - PACIFIC BELL MOBILE SERVICES -APPEAL OF CONDITION NO. 8 - (APN: 049-070-25 & 049-070-30)

5:00 p.m. This was the time set in a Notice of Public Hearing mailed to affected property owners on October 1, 1998 to consider the appeal of Condition No. 8 imposed on Pacific Bell Mobile Services, applicant and appellant, with Galena Volunteer Firemen, Inc., owner of the property, by the Washoe County Planning Commission in their conditional approval of a request to replace an existing 30 foot monopole with a 47-foot monopole; to facilitate the placement of six (6) polar antennas. In addition, two Base Transceiver Station (BTS) equipment cabinets will be placed adjacent to the existing AT&T cabinets, along with electrical housing and telephone connection panels. The proposed facility will be located adjacent to the Galena Fire Station to the northeast side of the building. In addition, the installation of a 30 foot flag pole is proposed to the south side of the property near the existing well head. The property is located at 16255 Mount Rose Highway in the Southwest Truckee Meadows Planning Area. The 5.4-acre parcel is designated High Density Rural (HDR) and situated in a portion of Section 34, T18N, R19E, MDM, Washoe County, Nevada. Proof was made that due and legal notice had been given.

Sandra Dutton, Department of Community Development, provided background information regarding this item explaining that the applicant is appealing Condition No. 8 which requires that the monopole be camouflaged to resemble a woody tree with a single trunk and branches on its upper portion; and that it is their opinion that the tree pole would stand out alone on the subject property with the fake foliage creating technical and design problems.

Chairman Bond advised that she had a telephone conversation with Pacific Bell Mobile Services regarding this issue, and that a consensus had not been reached.

Chairman Bond opened the public hearing and called on anyone wishing to speak.

Delmar Tompkins, Site Acquisition Coordinator, Pacific Bell Mobile Services, discussed the tree pole design stating that this concept is most commonly seen where there are large clusters of trees which is not the case on the subject property; that with added foliage, the pole would increase in size which would create a weight tolerance problem taking into consideration wind factors and icing problems on the foliage; and that the tree pole would impose a redesign and re-engineering of an existing facility of another wireless carrier.

Peter Cannizzaro, Fire Chief, Galena Volunteer Fire Department, spoke in opposition to the tree pole design explaining that the existing monopole was installed by AT&T; that the pole was originally designed to be 53 feet; that after concerns expressed by the Southwest Truckee Meadows CAB, a meeting was held on August 13th with all parties concerned to mitigate their objections; that it was his belief that all concerns had been resolved at that time; that the tree disguise was not mentioned and was considered at the last minute; that the building is a fire station; that the existing tower looks like a communications tower for a fire station; that this was approved without any objections; that the tower has been reduced from 53 feet to 47 feet to allow a separation between the two telephone companies; and that to disguise the pole as a tree in an area that does not have trees for several miles would make the tree pole "stick out like a sore thumb."

Dave Kladney, Mt. Rose/Steamboat Citizen Advisory Board, stated that Pacific Bell never offered the camouflage option at their August CAB meeting; and that the fire department is beginning to look like an "antenna farm" instead of a fire department. He then presented a brochure to the Board from the Larsen Company who utilizes camouflage techniques with artificial trees and rocks to disguise antenna poles stating that this solution has been used throughout the Country; and that he would advocate that Washoe County follow this procedure.

Don Thompsen, property owner north of the site, stated that he looks directly down on the fire station; and that he is opposed to a large

structure obstructing his view; that a possible option would be to utilize property that borders on the Redfield property; and that he believes that with current technology, a structure could be developed in the near future that would be half this size.

Paula and Ron Kennedy, 16110 Mt. Rose Highway, property owners diagonally adjacent to the fire station, stated that they have a full view of the proposed monopole extension; that they are very impressed with the camouflage alternatives; that the problem is that there is a provision that requires antennas to cohabitate with other antennas; that the Planning Commission accepted this height requirement with the condition of a pine tree pole; and that the use of the pole tree would set a standard for Washoe County to follow and provide a more beautiful area to live in.

Dave Salero, Assistant Chief, Galena Volunteer Fire Department, stated that although a fake tree may be acceptable, it is his belief that it would not appear as the brochures depict; that with his architectural background this concept does not seem to blend in the area; and that when additional material is added away from the center of the pole it would make the tree look completely out of place.

Mr. Tompkins concluded by stating that he had met with CAB members in the field to discuss this issue, and in his opinion, the pole should be as narrow as technologically possible and remain painted as it currently is, which is not very noticeable from the road.

There being no one else wishing to speak, Chairman Bond closed the public hearing.

Madelyn Shipman, Assistant District Attorney, stated that in this case, the Board has to decide whether they can make the findings for the special use permit as it relates to the particular item on appeal which is Condition No. 8.

Commissioner Galloway stated that although there appears to be much speculation as to how the fake tree will appear, they will not know unless they give it a try.

Following discussion, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the appeal of Condition 8 filed by applicant Pacific Bell Mobile Services be denied and that the recommendation of the Washoe County Planning Commission to grant Special Use Permit Case No. SPW6-26-98 be upheld subject to the following conditions:

CONDITIONS

UNLESS OTHER SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

GENERAL CONDITIONS

1. The applicant shall demonstrate substantial conformance to the plans approved as a part of this special use permit to the satisfaction of the Department of Community Development.
2. The applicant shall complete construction of all structures used to further the operation within two years from the date of approval by Washoe County.
3. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
4. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Community Development staff to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Community Development staff of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
5. The equipment cabinets, and all other ancillary equipment shall be painted an earth tone hue that blends with the surrounding natural environment, and shall not be painted the color of pink, or any similar hue/tone of pink.
6. The applicant shall provide a solid fencing material, such as chain link fence with slats, a block wall or wood fencing around the equipment cabinet(s), and provide 20% or 80 square feet of landscaping in the form of trees. The trees shall be either Jeffrey Pines or the equivalent in five (5) gallon containers, with at least half (1/2) being at least seven (7) feet tall at time of planting, and the remainder at least five (5) feet tall at the time of planting. All trees shall be planted on the southeast side of the driveway/access road, so as to screen from Mt. Rose Highway.
7. A fencing and landscape plan shall be submitted with the final site plan for review and approval by the Department of Community Development prior to issuance of any building permits.
8. The proposed monopole shall be designed and treated with an architectural material so that it is camouflaged to resemble a woody tree with a single trunk and branches on its upper part. The applicant shall use a product from a vendor that produces artificial pine trees or a comparable style that fits with the natural environment of the Mt. Rose/Galena area. The monopole/tree shall not exceed 60 feet in height.

98-1007 COMPREHENSIVE PLAN AMENDMENT CASE NO. CPA98-SV-2 AMEND SOUTH VALLEYS AREA PLAN WATER RIGHTS DEDICATION POLICIES SV.4.1 & SV.4.2 - HYDROBASIN SPECIFIC

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on October 2, 1998 to consider the Washoe County Planning Commission recommendation to amend the South Valleys Area Plan, being a part of the Washoe County Comprehensive Plan, to revise policy and action program SV.4.1 and SV.4.2 to clarify water resource dedication requirements by hydrographic basin. The proposed

amendments would include appropriate text and/or graphics in support of the policy language revisions. The current South Valleys plan language requires "certificated" groundwater rights for the four hydrographic basins (i.e.: Washoe Valley HB, Pleasant Valley HB, Eagle Valley HB and Truckee Meadows HB) that are a part of the planning area.

The proposed plan language would require "certificated" groundwater for Washoe Valley HB, and "permitted" or "certificated" groundwater rights for the remaining three hydrographic basins. Proof was made that due and legal notice had been given.

Dean Diederich, Department of Community Development, provided background information regarding the proposed amendment to the South Valleys Area Plan.

Chairman Bond opened the public hearing and called on those wishing to speak.

Mike Buschelman, Chairman, Regional Water Planning Commission, advised that Mr. Diederich and Steve Walker, Water Management Planner had made a presentation to the Water Planning Commission regarding the proposed plan amendment which was unanimously supported.

Jane Countryman, West Washoe Valley Citizen Advisory Board commended County staff for working so hard to preserve the South Valleys and protecting their water.

There being no one else wishing to speak, the Chairman closed the public hearing.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Comprehensive Plan Amendment Case No. CPA98-SV-2 be approved subject to the following findings:

FINDINGS:

1. The proposed amendments to the South Valleys Area Plan are in substantial compliance with the policies and action programs of the Comprehensive Plan. The proposed amendments substantially support or help to implement Comprehensive Plan policies LUT.1.1., PSF.1.17 and PSF.1.18.
2. The proposed amendments to the South Valleys Area Plan will provide for land uses compatible with existing and planned land uses and will not adversely impact the public health, safety or welfare.
3. The proposed amendments to the South Valleys Area Plan responds to changed conditions or further studies that have occurred since the Board of County Commissioners adopted the plan.
4. The proposed amendments to the South Valleys Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Comprehensive Plan. The proposed amendments substantially support or help to implement Comprehensive Plan policies POP.1.5, and C.2.21.
5. The proposed amendments to the South Valleys Area Plan will promote the desired pattern for the orderly physical growth of the County and

guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

6. The proposed amendment to the South Valleys Area Plan is the second amendment to the Plan in 1998, and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.

7. The Washoe County Planning Commission public hearing, prior to the adoption of the proposed amendment(s) to the South Valleys Area Plan, and the related changes to the text and maps of the plan, has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).

8. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.

9. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning Commission and the Washoe County Commission, and information received during the County Commission public hearing.

AND

Bill No. 1219 entitled "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE (DEVELOPMENT CODE) BY AMENDING SECTION 110.210.05 OF ARTICLE 210, SOUTH VALLEYS AREA, THEREOF TO SPECIFY GROUNDWATER DEDICATION REQUIREMENTS FOR THE WASHOE VALLEY, PLEASANT VALLEY, EAGLE VALLEY AND TRUCKEE MEADOWS HYDROGRAPHIC BASINS," was introduced by Commissioner Camp, the title read to the Board, and legal notice for final action of adoption directed.

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There being no further business to come before the Board, the meeting adjourned at 6:45 p.m.

JOANNE BOND, CHAIRMAN
Washoe County Commission

ATTEST: BETTY J. LEWIS, County Clerk